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Neighbourhood Planning in London: devolution enabled, or devolution denied

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ABSTRACT

Neighbourhood planning is progressing in England and now encompasses over 2500 groups, of which over 700 have a “made” Neighbourhood Plan approved by a majority vote in a local referendum. London remains an anomaly with retarded progress and evidence of council obstruction. In the context of national research, the model of community organisation, in the form of “neighbourhood forums” devised under the Localism Act 2011 to deliver neighbourhood planning, is deeply flawed. A neighbourhood planning index has been produced to indicate the varied progress by London boroughs. Evidence is presented essentially of devolution denied, and antipathy to “community localism”, even though, in two boroughs devolution has been enabled.

There have always been two distinct purposes to neighbourhood planning and this is explicit in the original framing of the Localism Act 2011. Neighbourhood planning is one of the several measures on offer to communities by way of “empowerment”. Neighbourhood planning is the most radical and popular measure, but the “town planning” aspect as such, is fairly low profile and a minority component in the considerable research devoted to the implementation and consequences of the Act, and to localism policy more generally. The critical issue for scholars and commentators, and possibly for practitioners on the ground, is the nature and extent of community engagement; not planning and land use issues per se. To achieve genuine engagement and collective action there is an imperative that partisan interests do not prevail. Inevitably however, creating an empowered space for collaborative planning is highly political, and not merely a technical enterprise. Whether it is arguing about where to site a Tesco Local, or disagreements about community-led housing, the peaceful resolution of conflict, so as to produce an agreed policy, is the practice of politics. So, what is the extent of neighbourhood planning take-up and what is the nature of any resulting empowerment? The original promise was clear; ‘a fundamental shift of power…. Towards local people’ (HM

Government 2010 p.11). Although the emerging picture is of a steadily advancing, citizen-led third tier of planning, the reality is of an urban sluggishness that contrasts to the rural pace-makers. It is very clear that this definite two-speed movement results from the distinction between the planning groups based on already constituted parish councils, and the self-starter groups in cities, required to obtain "designation" by their local council. These "neighbourhood forums" lack the resources, authority and support available to the mainly rural parish councils. To compensate for the absence of the parish council with its council tax precept, and other advantages, primary city councils (borough councils in London) have a statutory "duty to support" neighbourhood forums. Evidence suggests this support is not always forthcoming. The extent of this difference in take-up of neighbourhood planning is relatively easy to discern, even if more complex metrics such as progress through stages, mobilisation and the dynamics of engagement have rarely been assessed. The latest aggregate progress in England encompasses over 2500 groups, of whom over 700 have "made" a neighbourhood plan, approved by a majority vote in a local referendum. The cities, reliant upon neighbourhood forums on the other hand, are in the slow lane; Manchester and Liverpool have no made plans, and London has only 12. In proportion to population, in London there are less than one tenth of the made plans than in the rest of England. There has been little analysis and little explanation of London's tardiness, nor of the politics at play. Nationally the implementation of neighbourhood planning and the politics of neighbourhood planning have been subject to considerable research attention, both empirically and theoretically. This context will be explored briefly in the next two paragraphs, highlighting some of the more salient findings. Lastly, what little is known and understood about London's anomalous progress will be set out in the light of available theory and best practice.

There are two substantial evidence-based reports examining neighbourhood planning nationally; one academic, from Professor Parker and colleagues at the University of Reading (Parker et al 2014), and one from a commission under Lord Kerslake, sponsored by Locality. Both are empirical, but the commission enthusiastically called for neighbourhood planning to be re-invigorated, wanting: "power to be pushed down to the local level, unleashing the creatively and expertise of communities ((Locality 2018 p.5). From survey and interview evidence, both reports found successful community involvement and strong endorsement of neighbourhood planning. Problems were identified with a lack of resources, with unequal take-up, depending upon levels of poverty, and concerns about how inclusive and representative planning groups are, or not, of their local areas. Ambiguity about the "duty to support" and evidence of council obstruction were commonly found, and the necessity of council support for parish councils and even more so for the forums was emphasised. Neither report looked at cities in general nor London in particular (in effect, the neighbourhood forum contingent), and both empirical reports were remiss in not seeking and interrogating the hidden cohort of non-starting or stalled groups. The London anomaly was unexplored. There is a

range of theoretical work, some based solely on the legislation and policy; some relying on case study; or otherwise on more comprehensive evidence. Parker et al have made the most numerous contributions to the latter (see for example Parker et al 2014; Parker and Salter 2016; ditto 2017; and Wargent and Parker 2018). Several authors take a negative stance on neighbourhood planning (or localism) describing anti-political effects and imputing such intensions to a neoliberal project (see Williams et al 2014; Clarke and Cochrane 2013; Ludwig and Ludwig 2014). Davoudi and Madanipour (2015) warn of the co-option of neighbourhood planning by vested interests and criticise the lack of legitimacy of the neighbourhood forums. They suggest that neighbourhood planning can however be "progressive" depending upon local circumstances. Several authors (including Parker et al) acknowledge a neoliberal paradigm but supply qualified support to neighbourhood planning, caveated with the empirically verified cautions about lack of resources, and issues with inclusivity and inequality (see Bradley 2017; Sturzaker and Shaw 2015; and Bailey and pill 2015). There are authors who more directly endorse localism such as Stoker (2006) in his defence of representative democracy, and Wills (2012) in her mainly London-based exploration of new forms of neighbourhood statecraft. Even so, the success or failure of neighbourhood planning in London, given the ambiguity of the "duty to support", might be best understood by looking at the intersection of studies of neighbourhood planning and studies in local governance.

A useful distinction can be made between forms of "community localism" implying a degree of political self-efficacy by communities, and "representative localism" where the power, authority and resources of an elective institution are deployed. Evens et al (2013) classify localism in this way; where *community localism* enables collective engagement directly in decision-making, equated with participative democracy and, alternatively; *representative localism* where elected local government takes the leadership role in community activity. Neighbourhood forums are certainly a form of citizen-led community localism. Parish councils seem to follow the subsidiarity principle, with limited autonomy and resources but nevertheless constitute a lower tier of representative localism. The theories about governance would suggest that citizen-led community localism should not be isolated in any way, but rather part of the governance network (see Rhodes 2007; Sorenson and Torfing 2009). But practice may be different; there is an asymmetry of power and a dependency on cooperation and trust between a borough council and a neighbourhood forum. Laffin (2014), doubts that the network model necessarily applies, given the reality of hierarchical and centralising tendencies. The duty to support is perhaps meant to be a statutory confirmation of network governance, where the citizen place-shapers co-produce the plan with their big friendly borough council; or not, as seems to be the case in some boroughs. It is surprisingly difficult to find reference in any research, in the context of neighbourhood planning, to the role of the ward councillor. Surely, with their legitimacy and agency, councillors are the buckle which binds community with local government? It is known that many councillors ignore (or should it be, boycott?) neighbourhood planning but there is

anecdotal testimony of some active support. Evidence can be found of what might be termed a “blind spot” in the perspective of local government about “community localism”. A paper exploring localism by Walker et al (2013) from the Local Government Information Unit ignores devolution to the neighbourhood in the form of community localism. A typology of five models of localism supplied by Richardson and Dulrose (2013) only allows for a degree of citizen-led collaboration in one type. Otherwise institutionally-led localism prevails, pre-empting the empowered initiative available under the 2011 Localism Act. A recent textbook about devolution and the future of local government, by former or current professors, dismisses the minor provisions of the Localism Act, and ignores neighbourhood planning all together (Leach et al 2018). In a more specific paper, Salter (2018) has investigated councils in the comparatively successful South East England region, and identified three types of response to neighbourhood planning. The region has the advantage of mainly devolved parish councils but even so, the primary planning authorities can exhibit a “deflective response”. This includes actively discouraging neighbourhood planning. There may be theoretically-based and policy-based precedents and reasons why most London borough councils are reluctant to share power with, and support, neighbourhood forums. Community localism, as exemplified by neighbourhood planning, is certainly impeded in London. As the next section demonstrates however, there is evidence in London of two pioneer boroughs, where the inherent disadvantages of neighbourhood forums can be compensated for by genuine implementation of the councils’ duty to support. There is also evidence of direct, if covert, obstruction.

Citizen planners in London are well aware of how little support is forthcoming from borough councils and how slowly neighbourhood planning is progressing in the capital. There is an increasingly effective mutual support group however, known as Neighbourhood Planners London, which is networking, gathering data, lobbying and, recently, sponsoring research. The pioneering borough councils of Westminster (Conservative) and Camden (Labour) are way ahead of the rest in achieving neighbourhood planning. Five boroughs (representing over 1.3 million people) are dormant, with apparently no active planning groups. Using data collected by Neighbourhood Planners London, an index has been devised which scores the level of activity by group progress through three stages to referendum and “made” plan. The index does not allow for different sizes of group populations. All the groups in the borough are scored by stage of progress and the arithmetic total is divided by the borough population in millions. Camden, the most active borough, has a neighbourhood planning activity index of 115, with Westminster next on 102, right down to the five dormant boroughs on zero. The average neighbourhood planning index is 18.8 for London as a whole. A table sorting boroughs by this index also notes the Index of Multiple Deprivation by borough (Public Health England (2019), records party control, records councils with low numbers of opposition councillors and percentage of houses in each borough owned outright (Mayor of London 2019). These additional factors have been suggested as being associated with

neighbourhood planning activity. There does not appear to be any statistical correlation however (see appendix). The differences in activity between boroughs may thus result from policy choices by the respective councils. The inherent problems for self-determined group to achieve “designation” are well defined in the national research and dependence on the local council has made London groups particularly vulnerable to council obstruction; there is a play-book of blocking tactics. Neighbourhood Planners London (2017) network has surveyed the 32 councils and noted that only six Local (borough) Plans fully recognised neighbourhood planning and supplied guidance as required. Complaints about austerity appear disingenuous when councils such as Lambeth spend £140,000 on a “refreshed masterplan” in opposition to a local neighbourhood planning group (London Borough of Lambeth 2016). Again in Lambeth, another group publicly objected to a rival plan (called a CLIP) produced by the council citing: “locals who are concerned that the CLIP is an attempt to undermine a community-led exercise in favour of a council-led one” (South Bank and Waterloo Neighbours 2108). The draft London Plan produced by the Mayor’s office barely mentioned neighbourhood planning, even in the context of collaboration with local communities. The plan was considerably modified by the Inspector at the Examination in Public (see section 0.0.21A for example in; GLA 2019). There are other examples of opposition by omission such as a major report on “place-making” by London policy professionals (Future of London 2017), ignoring neighbourhood planning; in the same way as a recently published textbook on local government devolution did (Leach et al 2018). There is a dearth of research into this London devolution anomaly but there are two case studies of neighbourhood planning groups in London. One finds a neoliberal agenda in place, where unrepresentative and wealthy people capture forums to, “reap the benefits exclusive to their group solidifying their advantageous socio-economic position” (Apostolides 2018). In contrast, a consultancy report sponsored by Neighbourhood Planners London (and funded by a charity) found, “Tackling social issues is often the driving force behind neighbourhood planning” although, “forums struggle to attract the ethnic and social diversity proportional to their area” (Publica 2019 p.44).

There is ample evidence of many boroughs failing to support neighbourhood planning, and in some cases obstructing local initiative by neighbourhood groups. This hindrance is essentially covert, as councils’ cannot be seen to deny their statutory “duty to support”. There are examples of the local government policy community opposing neighbourhood planning by omission. Nevertheless Camden and Westminster demonstrate that devolution by enabled neighbourhood planning is actually a policy choice by the council and that the weaknesses in the forum model can be overcome. The problems associated with community localism and demonstrably arising in neighbourhood planning practice; lack of legitimacy, exclusiveness, unequal access and so on, may be informing council policy, but there is little or no debate and a paucity of research about experiences in London. Arguably, the 2011 Localism Act is flawed in devising a vehicle for neighbourhood planning, in the absence of parish councils, which is fragile and vulnerable to an

unhelpful local council. There is no shortage of proposals from the national research as to how collaborative planning at the neighbourhood level might be improved. Better resourcing through the levy on developers (Community Infrastructure Levy) would considerably strengthen neighbourhood forums, and may well be popular. The evidence suggests that: the capital city is remarkably retarded in implementing the third tier of national planning; that councils are wilfully failing in their statutory "duty to support"; that research has not sought out the frustrated communities thus let down by their own council; that there has been little appraisal of how far forums have succumbed, or not, to problems of deprivation, exclusivity and unrepresentativeness; and that the potentially crucial role of councillors is barely acknowledged. Devolution enabled or devolution denied appears to be a council policy choice. In the absence of an open debate, and thorough research, the London anomaly is largely unexplored and unexplained.

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INNER LONDON BOROUGHS SORTED BY NEIGHBOURHOOD PLANNING ACTIVITY INDEX

(No correlation found with other factors, thus NP activity may be a council policy choice)

INNER LONDON	NP ACTIVITY INDEX	MULTIPLE DEPRIVATION INDEX	PARTY	VIABLE OPPOSITION	% HOUSES FULLY OWNED
Camden	115	15.1	Lab	□	18.5
Westminster	102	27.7	Con	□	17.1
Kensington and Chelsea	50	23.4	Con	□	22.6
Tower Hamlets	28	35.7	Lab	**3**	7.0
Hammersmith and Fulham	27	24.4	Lab	□	19.1
Lewisham	25	28.6	Lab	**0**	16.5
Southwark	22	29.5	Lab	□	10.1
Hackney	21	35.3	Lab	**5**	11.1
Lambeth	20	28.9	Lab	**6**	10.9
Haringey	10	31.0	Lab	□	18.0
Islington	8	32.5	Lab	□	15.4
Newham	6	32.9	Lab	**0**	9.4
Wandsworth	6	18.3	Con	□	17.7
Average Inner London	33.8	X	X	X	14.6
Average Outer London	8.5	X	X	X	27.3
London	18.8	x	X	X	22.0

OUTER LONDON BOROUGHS SORTED BY NEIGHBOURHOOD PLANNING ACTIVITY INDEX (no correlation)

OUTER LONDON	NP ACTIVITY INDEX	MULT DEPRN INDEX	PARTY	VIABLE OPPOSITION	% HOUSES OWNED
Ealing	29	23.6	Lab		20.1
Brent	27	16.2	Lab	**3**	22.2
Sutton	24	14.6	Lib Dem		25.7
Richmond upon Thames	15	10.0	Lib Dem		30.9
Enfield	12	27.0	Lab		25.6
Kingston upon Thames	11	11.1	Lib Dem	**9**	27.7
Barnet	8	34.6	Con		32.4
Hounslow	8	22.5	Lab		25.5
Waltham Forest	7	30.2	Lab		20.6
Hillingdon	6	18.1	Con		22.2
Merton	5	14.9	Lab		21.7
Bexley	4	17.8	Con		38.1
Croydon	3	23.6	Lab		30.8
Redbridge	3	20.2	Lab		29.5
Barking	**0**	13.6	Lab	**0**	16.4
Bromley	**0**	26.6	Con		37.8
Greenwich	**0**	25.5	Lab		19.2
Harrow	**0**	14.3	Lab		33.5
Havering	**0**	17.9	NOC		35.2